IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

MACON COUNTY INVESTMENTS, INC.)
and REACH ONE, TEACH ONE OF)
AMERICA, INC.,)
)
Plaintiffs,)
)
v.) CIVIL ACTION NO. 3:06cv224-WKW
)
SHERIFF DAVID WARREN, in his)
official capacity as the SHERIFF)
OF MACON COUNTY, ALABAMA,)
)
Defendant.)

ORDER

On August 24, 2006, the court heard argument on pending discovery motions. Following that argument, the undersigned conferred with the District Judge assigned to this case and the contents of this order have his concurrence. Based on the arguments as well as the stipulations of counsel, it is

ORDERED as follows:

1. The provisions of the court's memorandum opinion and order relating to early discovery and establishing limits on that discovery (doc. # 19) be and are hereby VACATED.

2. The plaintiffs' motion to shorten time for discovery responses (doc. # 32) and the motion to allow third party discovery are DENIED as moot. Once the parties have filed their FED.R.CIV.P. 26 planning report and the court has entered a scheduling

order, the plaintiffs may complete their discovery.

3. Defendant Warren's motion to compel (doc. # 36) is DENIED as moot. It is further

ORDERED that a FED.R.CIV.P. 26(f) report containing the parties' joint discovery plan shall be filed by the parties not later than September 7, 2006. It is further

ORDERED that any discovery already commenced to which responses have not been filed shall be treated as commenced on the date a FED.R.CIV.P. 16 scheduling order is entered in this case.

Done this 25th day of August, 2006.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE